IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,	**CR-09-91-GF-BMM**
Plaintiff,	
vs.	
	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS
JORDAN CHARLES DEMONTINEY,	
Defendant.	

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on February 5, 2019, and February 12, 2019. (Docs. 90, 94.) The United States accused Defendant Jordan Charles Demontiney of violating his conditions of supervised release by: 1) committing another crime and 2) consuming alcohol. (Doc. 93 at 2.) Demontiney admitted to violations number two. (Doc. 95 at 3.)

Judge Johnston entered Findings and Recommendations on February 14, 2019. (Doc. 95.) Judge Johnston recommended that the Court revoke Demontiney's supervised release. *Id*. at 3. Judge Johnston recommended that the Court commit Demontiney to the custody of the Bureau of Prisons for period of time served with 12 months of supervised release to follow. *Id*. Judge Johnston

recommended that the supervised release conditions imposed previously should be continued. *Id.*

Demontiney waived his right to object to Judge Johnston's Findings and Recommendations. *Id.* at 4. The Government did not file an objection. The Court will review Judge Johnston's Findings and Recommendations for clear error. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error in Judge Johnston's Findings and Recommendations. Demontiney's violations represent a serious breach of the Court's trust. A sentence of time served followed by 12 months of supervised release, is a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 95) is **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Jordan Charles Demontiney is sentenced to a period of time served followed by 12 months of supervised release..

DATED this 28th day of February, 2019.

Brian Morris
United States District Court Judge